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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/807,983	03/24/2004	Chieko Asakawa	JP920030045US1	4455
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LOUIS PAUL HERZBERG 3 CLOVERDALE LANE MONSEY, NY 10952			EXAMINER TRAN, QUOC A	
			ART UNIT 2176	PAPER NUMBER
			MAIL DATE 07/24/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/807,983	<b>Applicant(s)</b> ASAKAWA ET AL.	
	<b>Examiner</b> Tran A. Quoc	<b>Art Unit</b> 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 6, 7 and 17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 8-16, and 18-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05-08-2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. Japan 2003-091791 filed 03-28-2003.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***DETAILED ACTION***

1. This is a **Non-Final** rejection in response to Election/Restriction filed on 05-05-2007 and RCE filed 01-30-2007.
2. Claims 1-20 are pending.
3. Applicants elected invention I, without traverse, which corresponds to claims 1-5, 8-16, and 18-20 are currently pending, and withdrawn claims 6, 7, and 17 in this application. Claims 1, 8 and 12 are independent claims.
4. Effective filing date is 03-24-2004, priority date 03-28-2003 (Assignee IBM).

***Continued Examination Under 37 CFR 1.114***

5. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 01-30-2007 has been entered.

*Claim Rejections - 35 USC § 103*

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

*(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.*

Claims 1-5, 8-16, and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maeda et al. US 20010054049A1 filed 12-19-2000 (hereinafter Maeda), in view of Chen et al. US 20020078097A1 filed 04-18-2001 (hereinafter Chen).

Regarding independent claim 1, Maeda teaches:

**An information processing apparatus comprising means for creating a digest of a document a layout of which is determined, when said layout being too large to fit in a display screen of a display device or when a document reader requires said document to be zoomed for reading characters displayed on the display device, the document including a plurality of regions, each region including one or more display elements, the means for creating comprising:**

(See Maeda fig. 1 and para 13-15, discloses an information processing terminal, includes web browser, and display controller (for analyzing the structure of the layout of the document, a region arrangement) to display the contents of a document using a selected

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display condition, such as a desired font size or a desired line space or character space, while preserving the layout of the document as well as to edit the contents of the document, when it is enlarged and displayed, so that important information in the document survives.

Also, see Maeda para 89, disclose the web browser 10 that employs the DOM tree automatically converts the HTML document into the tree, the obtained tree structure is merely be fetched by the layout structure analyzer 21.

Using the broadest reason able interpretation, the examiner reads the claimed **creating a digest of a document** as equivalent to analyzing the structure of the layout of the document, a region arrangement as taught by Maeda, and also see applicants' current disclosure at para 6, "method for creating a digest of the web page, in which a layout of the Web page is automatically analyzed based on tags of an HTML (refer to Patent Document 1),")

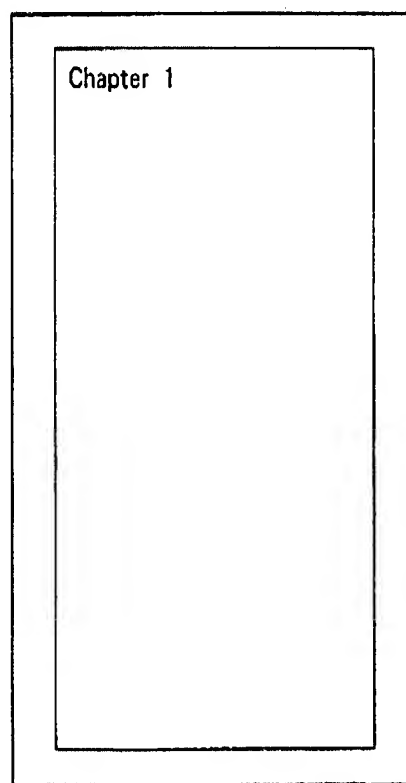
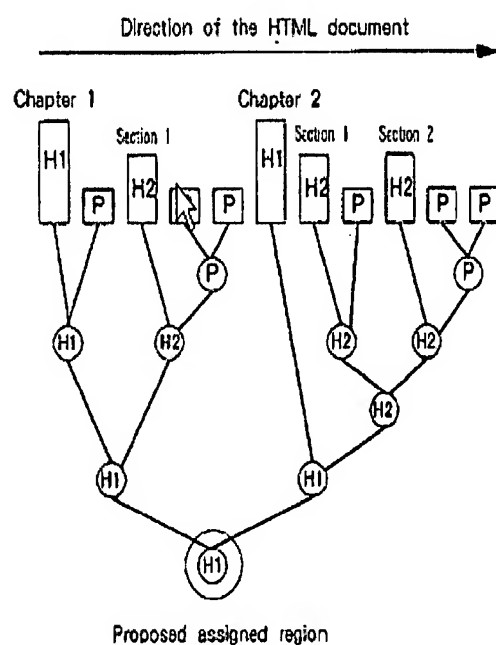
**means for selecting the display elements based on display priorities of the display elements, and for deciding all of selected display elements as a display content of a digest screen under a condition where a total display area of all of the selected display elements does not exceed a required display area;**

(See Maeda para 106, provides means to display the contents of a document using a selected display condition.

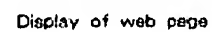
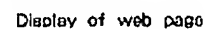
Also, see Maeda Fig. 15 and para 118, displaying all the characters in "chapter 1," which is the most important, in the contents of the HTML tag <H1> of the target node,

Also, see Maeda Fig. 16 and para 119, displaying "chapter 1" and "chapter 2," which are the most important contents of the HTML tags <H1> of the two target nodes,

Also, see Maeda Fig. 18 and para 121, showing nodes that are currently established as assigned regions, and the rectangular areas that are represented by the nodes. By referring to FIG. 18, the layout of the web page is determined using three assigned regions,



Display of web page



Also, see Maeda para 81, discloses the elements wherein a display condition designated by a user. As a result, there is no deterioration of the layout of the web page.

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Also, see Maeda fig. 1 and para 13-15, discloses an information processing terminal, includes web browser, and display controller (for analyzing the structure of the layout of the document, a region arrangement) to display the contents of a document using a selected display condition, such as a desired font size or a desired line space or character space, while preserving the layout of the document as well as to edit the contents of the document, when it is enlarged and displayed, so that important information in the document survives. Using broadest reasonable interpretation, the examiner equates the claimed **condition where a total display area of all of the selected display elements does not exceed a required display area** as equivalent to display controller (for analyzing the structure of the layout of the document, a region arrangement) to display the contents of a document using a selected display condition, such as a desired font size or a desired line space or character space, while preserving the layout of the document, and Fig. 15-18 as taught by Maeda.)

**and means for ensuring access to information lost by creating the**

**digest and ensuring said digest fits optimally on said display device.**

(See Maeda fig. 1 and para 13-15, discloses an information processing terminal, includes web browser, and display controller (for analyzing the structure of the layout of the document, a region arrangement) to display the contents of a document using a selected display condition, such as a desired font size or a desired line space or character space, while preserving the layout of the document as well as to edit the contents of the document, when it is enlarged and displayed, so that important information in the document survives.

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Also, see Maeda para 81, discloses the elements wherein a display condition designated by a user. As a result, there is no deterioration of the layout of the web page.)

In addition, Maeda does not explicitly teach, but Chen teaches:

**means for setting a merging relationship among the regions by deciding a merging region, with which a region not being displayed on the digest screen is merged, from among regions displayed on the digest screen based on layout information for the regions in the document, all of the regions being included in the document;**

(See Chen fig. 3, 4a-c and para 10-15, shows the merging process, wherein the first display area is merging with the second display area if the second display area does not contain data an intermediate data stream in name/value pair format; determining whether a third display area adjacent to the first display area in the vertical direction contains data; and determining whether a third display area adjacent to the first display area in the vertical direction contains data; and merging the first display area with the third display area if the second display area does not contain data.

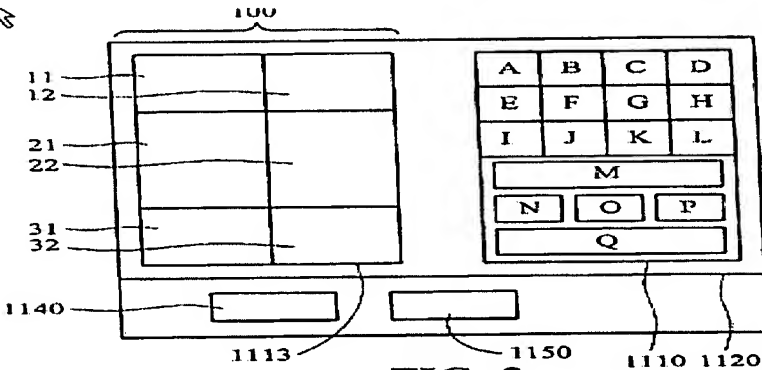


FIG. 3

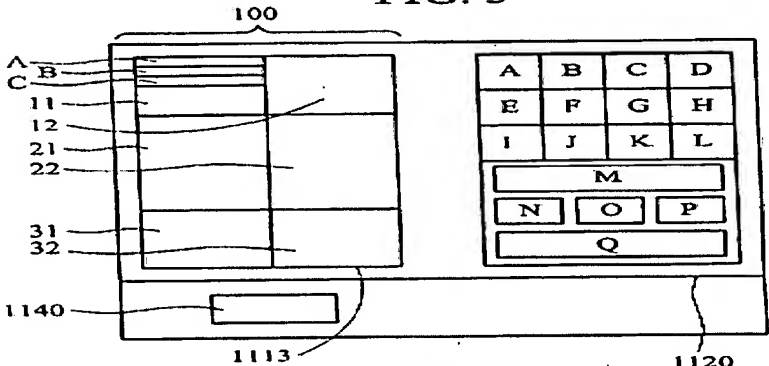


FIG. 4a

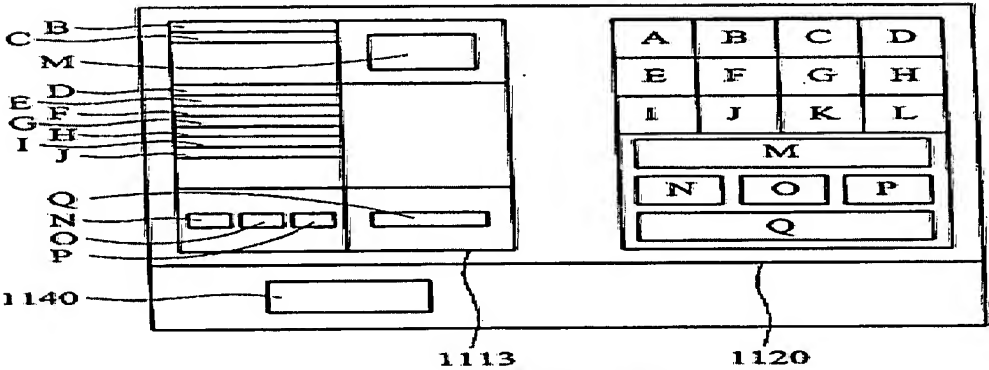


FIG. 4b

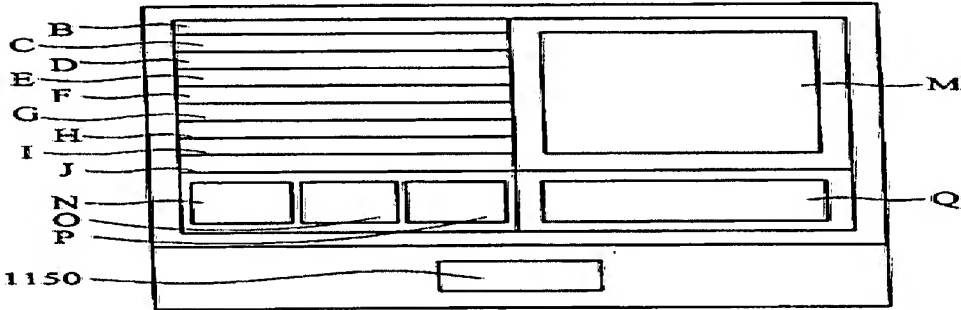


FIG. 4c

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Also, see Chen para 36-51; disclose the details of the merging process of Fig. 3, and Fig. 4a-c. Using the broadest reasonable interpretation, it is noted the claimed **the digest screen is merged** is the merging process (see fig. 3, 4a-c) as taught by Chen.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Maeda's information processing terminal, provides a means to display the contents of a document using a selected display condition, while preserving the layout of the document, to include a means of setting a merging relationship among the regions by deciding a merging region, with which a region not being displayed on the digest screen is merged, from among regions displayed on the digest screen based on layout information for the regions in the document, all of the regions being included in the document as taught by Chen. One of ordinary skill in the art would have been motivated to perform such a modification, because Maeda and Chen are analogous art, since they are from the same field of allocating, and merging lay out of web document without deterioration of the layout of the web page, and provides the followings advantages: The contents of a document can be displayed in accordance with a desired display condition (font size, line spacing, character spacing, etc.), while the layout of the document is preserved; Further, when characters are enlarged and displayed while the layout is being preserved, the display contents can be edited without important information in the document being erased (see Maeda para 162-163).

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Regarding **independent claim 8**, the rejection of claim 1 is fully incorporated.

Regarding **independent claim 12**:

is directed to a computer program code functioning to perform the method recited in Claim 1 and is similarly rejected along the same rationale.

Regarding **claims 2-3**, Chen teaches:

**means for deciding, as a display content of a detail screen, a region group including the regions displayed on the digest screen, further comprising means for creating control information for controlling a display of the detail screen, wherein the means for deciding the display content of the detail screen creates a digest of the detail screen based on the control information when the region group is too large to fit in the required display area.**

(See Maeda fig. 1 and para 13-15, discloses an information processing terminal, includes web browser, and display controller (for analyzing the structure of the layout of the document, a region arrangement) to display the contents of a document using a selected display condition, such as a desired font size or a desired line space or character space, while preserving the layout of the document as well as to edit the contents of the document, when it is enlarged and displayed, so that important information in the document survives.

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Also, see Maeda para 89, disclose the web browser 10 that employs the DOM tree automatically converts the HTML document into the tree, the obtained tree structure is merely be fetched by the layout structure analyzer 21.

Also, see Maeda para 81, discloses the elements wherein a display condition designated by a user. As a result, there is no deterioration of the layout of the web page.)

In addition, Maeda does not explicitly teach, but Chen teaches:

**and the region merged with the displayed regions in response**

**to that a detail display of the displayed regions is required,**

(See Chen fig. 3, 4a-c and para 10-15, shows the merging process, wherein the first display area is merging with the second display area if the second display area does not contain data an intermediate data stream in name/value pair format; determining whether a third display area adjacent to the first display area in the vertical direction contains data; and determining whether a third display area adjacent to the first display area in the vertical direction contains data; and merging the first display area with the third display area if the second display area does not contain data.

Also, see Chen para 36-51; disclose the details of the merging process of Fig. 3, and Fig. 4a-c.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Maeda's information processing terminal, provides a means to display the contents of a document using a selected display condition, while preserving the layout of the document, to include region merged with the displayed regions in response to that a detail display of the displayed regions is required as taught by Chen.

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One of ordinary skill in the art would have been motivated to perform such a modification, because Maeda and Chen are analogous art, since they are from the same field of allocating, and merging lay out of web document without deterioration of the layout of the web page, and provides the followings advantages: The contents of a document can be displayed in accordance with a desired display condition (font size, line spacing, character spacing, etc.), while the layout of the document is preserved; Further, when characters are enlarged and displayed while the layout is being preserved, the display contents can be edited without important information in the document being erased (see Maeda para 162-163).

Regarding **claim 4**, Maeda teaches:

**means for changing the display content of the digest screen  
based on an operation of a user.**

(See Maeda para 89, disclose the web browser 10 that employs the DOM tree automatically converts the HTML document into the tree, the obtained tree structure is merely be fetched by the layout structure analyzer 21.

Also, see Maeda para 81, discloses the elements wherein a display condition designated by a user. As a result, there is no deterioration of the layout of the web page.)

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Regarding **claim 5**, Maeda teaches:

**the changing means includes means for automatically changing the display content of the digest screen, accompanying the operation of the user.**

(See Maeda para 89, disclose the web browser 10 that employs the DOM tree automatically converts the HTML document into the tree, the obtained tree structure is merely be fetched by the layout structure analyzer 21.

Also, see Maeda para 81, discloses the elements wherein a display condition designated by a user. As a result, there is no deterioration of the layout of the web page. Using the broadest reasonable interpretation, it is noted the claimed **the display content of the digest screen** is the web browser 10 that employs the DOM tree automatically converts the HTML document into the tree, the obtained tree structure is merely be fetched by the layout structure analyzer 21 as taught by Maeda.)

Regarding **claims 9-11** respectively:

the rejection of claims 2-3, and 5 respectively, and are fully incorporated.

Regarding **claims 13-15** respectively:

are directed to a computer program code functioning to perform the method recited in claims 2-3, and 5 respectively, and are similarly rejected along the same rationale.

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**Regarding claim 16:**

is directed to a computer program product comprising a computer usable medium having computer readable program code embedded therein to perform the method recited in claim 1, and is similarly rejected along the same rational (See Maeda para 164, discloses hardware, software, or a combination of hardware and software. And also be embedded in a computer program product.)

**Regarding claim 18:**

is directed to an article of manufacture comprising a computer usable medium having computer readable program code means embodied therein to perform the method recited in claim 8, and is similarly rejected along the same rational (See Maeda para 164, discloses hardware, software, or a combination of hardware and software. And also be embedded in a computer program product.)

**Regarding claim 19:**

is directed to program storage device readable by machine, tangibly embodying a program of instructions executable by the machine to perform the method recited in claim 8, and is similarly rejected along the same rational (See Maeda para 164, discloses hardware, software, or a combination of hardware and software. And also be embedded in a computer program product.)

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Regarding **claim 20**:

the rejections of claims 1-5 are fully incorporated, and is similarly rejected along the same rational.

7. It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. See, MPEP 2123.

#### ***Response to Argument***

8. Applicant's Remarks filed on 5-8-2007 and 03-19-2007 with respect to claims **1-5, 8-16, and 18-20** have been considered but are moot in view of the new ground(s) of rejection. This office action is a Non-Final Rejection in order to give the applicant sufficient opportunity to response to the new line of rejection.


#### ***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tran A. Quoc whose telephone number is 571-272-8664. The examiner can normally be reached on 9AM - 5PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
7/14/07

Quoc A. Tran  
Patent Examiner  
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July 14, 2007



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